

IN THE IOWA DISTRICT COURT FOR THE SEVENTH JUDICIAL DISTRICT

IN THE MATTER OF REQUESTS TO  
TERMINATE OR MODIFY ORDERS  
OF PROTECTION IN CRIMINAL  
PROCEEDINGS

) AMENDED  
) ADMINISTRATIVE ORDER  
)  
) 2014-1  
)

FILED  
16 JUL 22 PM 2:30  
JUDGE L. TOLLENAAR  
CLERK OF DISTRICT COURT  
MUSCATINE CO IOWA

The Court, pursuant to the authority delegated to me by the Chief Judge as Muscatine County Liaison Judge, finds that a formal procedure is required to protect the rights of alleged victims of crimes.

This Order shall apply to all requests to terminate or modify Orders of Protection entered in criminal proceedings in Muscatine County. This Order does not apply to Orders of Protection entered pursuant to Iowa Code Chapter 236.

A protected party requesting to terminate or modify an Order of Protection in a criminal proceeding shall take the following steps:

1. The protected party is encouraged, but not required, to schedule a meeting with a Domestic Violence and Sexual Assault Victim Counselor at Family Resources (or another approved agency under Iowa Court Rule 37.4) to develop a safety plan and to learn about available resources within the community for victims.
2. Write a letter setting forth the reasons for the request to terminate or modify the Order of Protection. **The letter shall be dated.**
3. The signed (original signature) letter shall be delivered to Muscatine County Court Administration. The letter, along with the underlying file, shall be reviewed by a Judge who shall determine if the request can be summarily granted or if a hearing shall be set on the Court's determination that a hearing is necessary to decide

whether the requirement set forth in Iowa Code Section 664A.3(1)(b) still exists. The request shall not be summarily granted unless the State of Iowa has waived notice and consented to the relief requested. When a hearing is required, the hearing shall be set no earlier than five days nor more than fifteen days after the request is made. Notice of the hearing shall be provided to the Muscatine County Attorney's Office by the Clerk placing a copy of the Order Setting Hearing in the Muscatine County Attorney's courthouse box. The Clerk shall also provide notice to the defendant by placing a copy of the Order Setting Hearing in the defendant's attorney's courthouse box. If the defendant is unrepresented, the Clerk shall mail notice to the defendant's last known address.

4. For purposes of this Order, the term "Order of Protection" shall be considered synonymous with "No Contact Order", "Restraining Order" or any other type of Order that prevents contact between two or more people in the context of a criminal action.

5. This procedure applies only to the protected party. However, nothing in this Order shall be interpreted as preventing the defendant from seeking a review of his or her conditions of release.

6. This order shall be filed and maintained in the Office of the Muscatine County Clerk of Court.

7. This order is issued pursuant to the authority delegated to me by the  
Chief Judge as Muscatine County Liaison Judge

**All of the above is SO ORDERED.**

Dated this 18 day of July, 2014.

A handwritten signature in cursive script, reading "Tom Reidel", written in black ink.

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Thomas Reidel, Liaison Judge for  
Muscatine County